

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DAVID H. JACOB,

Plaintiff,

vs.

ROSALYN COTTON, Chairperson,
Nebraska Board of Parole; MARK T.
LANGAN, Member, Nebraska Board of
Parole; ROBERT TWISS, Member,
Nebraska Board of Parole; LAYNE
GISSLER, Member, Nebraska Board of
Parole; VIRGIL J. PATLAN, Nebraska
Board of Parole; and HABIB OLOMI,
Member, Nebraska Board of Parole;

Defendants.

8:22CV31

MEMORANDUM AND ORDER

This matter is before the court on correspondence from Plaintiff, which the court construes as a motion for clarification. (Filing 6.) Plaintiff asks for clarification regarding how much the filing and administrative fees are in this matter.

On January 26, 2022, the court entered a Memorandum and Order directing Plaintiff to either submit the \$402.00 filing and administrative fees to the clerk's office or submit a request to proceed in forma pauperis ("IFP") within 30 days. (Filing 4.) In a footnote, the court noted that if Plaintiff is granted leave to proceed IFP, he will be allowed to pay the court's \$350 filing fee in installments and "would not be subject to the \$50.00 administrative fee assessed to non-IFP plaintiffs." (*Id.* (emphasis omitted).) The court's statement contained an error as the administrative fee assessed to non-IFP plaintiffs is \$52.00, not \$50.00. *See* 28 U.S.C. § 1914; Judicial Conference Schedule of Fees, District Court Miscellaneous

Fee Schedule (“Administrative fee for filing a civil action, suit, or proceeding in a district court, \$52.”).

On February 1, 2022, the court received a payment from Plaintiff in the amount of \$400. (*See* Docket Sheet.) Plaintiff must pay an additional \$2.00 in order to pay the full \$402.00 filing and administrative fees. Plaintiff still has until February 25, 2022 to either submit the remaining \$2.00 payment or submit a request to proceed IFP.

IT IS THEREFORE ORDERED that: Plaintiff’s correspondence (filing 6), construed as a motion for clarification, is granted in accordance with this Memorandum and Order.

Dated this 2nd day of February, 2022.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge